IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.273 OF 2006

IN

CIVIL APPLICATION NO.1937 OF 2005

IN

SECOND APPEAL NO.1241 OF 2005

Shri Anil Mandu Sonawane ...Applicant

Versus

Sou.Kalpana Anil Sonawane ...Respondent

.....

Mrs.S.D.Kenjale i/b Mr.N.V.Vechalekar for Applicant.

None for Respondent.

.....

CORAM: A.M.KHANWILKAR, J.

FEBRUARY 20, 2006.

P.C.

1. Explanation offered in the application is not satisfactory. The matter was called out on two occasions and on both the occasions, none appeared for the Applicant. The Applicant states that the Advocate for the Applicant attended matter before other Judge of this Court. There is no reason

forthcoming as to what prevented the Advocate to appear before this Court at least on the second occasion when the matter was called out on that date.

2. As for the mistake of the Advocate, the litigant should not suffer, Application allowed in terms of prayer clause (a), on condition that the Advocate on record for the Applicant shall pay cost quantified at Rs.500/- (Rupees Five Hundred) to the High Court Legal Services Committee within one week from today.

A.M.KHANWILKAR, J.